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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On November 12, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: M T D  
Mark T. Davis

*IFW*  
**PATENT**  
Attorney Docket No.: 16222U-011310US  
Client Reference No.: 3514



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Paul Spaeth et al.

Application No.: 10/660,328

Filed: September 10, 2003

For: OPT-IN/OPT-OUT IN LOYALTY SYSTEM

Examiner: Not Yet Assigned

Art Unit: 3626

**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

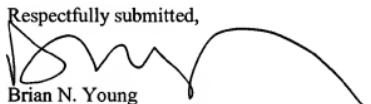
The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the non-U.S. references are enclosed. In accordance with the USPTO waiver of the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. patent applications filed after June 30, 2003, applicant has not submitted copies of the U.S. references.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /YR/

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,  
  
Brian N. Young  
Reg. No. 48,602

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60350339 v1

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /YR/



Institute for form 1449A/PTO		<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application Number	10/660,328
(use as many sheets as necessary)		Filing Date	September 10, 2003
Sheet	1	First Named Inventor	Paul Spaeth
of		Art Unit	3626
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	16222U-011310US

U.S. PATENT DOCUMENTS+				
Examiner Initials*	Cite No.*	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
AA	US-3,935,933		02-03-1976	Tanaka et al.
AB	US-4,011,433		03-08-1977	Tateisi et al.
AC	US-4,108,350		08-22-1978	Forbes, Jr.
AD	US-4,124,109		11-07-1978	Bissell et al.
AE	US-4,195,864		04-01-1980	Morton et al.
AF	US-4,412,631		11-01-1983	Haker
AG	US-4,544,590		10-01-1985	Egan
AH	US-4,568,403		02-04-1986	Egan
AI	US-4,674,041		06-16-1987	Lemon et al.
AJ	US-4,723,212		02-02-1988	Mindrum et al.
AK	US-4,742,215		05-03-1988	Daughters et al.
AL	US-4,794,530		12-27-1988	Yukiura et al.
AM	US-4,825,053		04-25-1989	Calle
AN	US-4,837,422		06-06-1989	Dethloff et al.
AO	US-4,841,712		06-27-1989	Roo
AP	US-4,868,376		09-19-1989	Lessin et al.
AQ	US-4,882,675		11-21-1989	Nichberger et al.
AR	US-4,910,672		03-20-1990	Off et al.
AS	US-4,930,129		05-29-1990	Takahira
AT	US-4,941,090		07-10-1990	McCarthy
AU	US-4,949,256		08-14-1990	Humble
AV	US-4,954,003		09-04-1990	Shea
AW	US 4,985,615		01-15-1991	Iijima
AX	US-4,992,940		02-12-1991	Dworkin
AY	US-5,019,452		05-28-1991	Watanabe et al.
AZ	US-5,019,695		05-28-1991	Itako
BA	US-5,025,372		06-18-1991	Burton et al.
BB	US-5,056,019		10-06-1991	Schultz et al.
BC	US-5,060,793		10-29-1991	Hyun et al.
BD	US-5,060,804		10-29-1991	Beales et al.
BE	US-5,063,596		11-05-1991	Dyke
BF	US-5,161,256		11-03-1992	Iijima
BG	US-5,115,888		05-26-1992	Schneider
BH	US-5,117,355		05-26-1992	McCarthy
BI	US-5,128,752		07-07-1992	Von Kohom
BJ	US-5,173,851		12-22-1992	Off et al.
BK	US-5,185,695		02-09-1993	Pruchnicki
BL	US-5,200,889		04-06-1993	Mori
BM	US-5,202,826		04-13-1993	McCarthy
BN	US-5,227,874		07-13-1993	Von Kohom
BO	US-5,256,863		10-26-1993	Ferguson et al.

Examiner Signature	/Yehdtega Retta/	Date Considered	12/11/2008
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Substitute for form 1449A/PTO		<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application Number	10/660,328
(use as many sheets as necessary)		Filing Date	September 10, 2003
Sheet	2	First Named Inventor	Paul Spaeth
	of	Art Unit	3626
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	16222U-011310US

<b>U.S. PATENT DOCUMENTS+</b>				
Examiner Initials*	Document Number Cite No. <sup>1</sup>	Publication Date MM-DD-YYYY Number Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
BP	US-5,285,278	02-08-1994	Holman	
BQ	US-5,287,181	02-15-1994	Holman	
BR	US-5,287,268	02-15-1994	McCarthy	
BS	US-5,299,834	04-05-1994	Kraige	
BT	US-5,308,120	05-03-1994	Thompson	
BU	US-5,353,218	10-04-1994	De Lapa et al.	
BV	US-5,402,549	04-04-1995	Forrest	
BW	US-Re. 34,915	04-25-1995	Nichtberger et al.	
BX	US-5,417,458	05-23-1995	Best et al.	
BY	US-5,420,606	05-30-1995	Begum et al.	
BZ	US-5,380,991	01-10-1995	Valencia et al.	
CA	US-5,450,938	09-19-1995	Rademacher	
CB	US-5,466,010	11-14-1995	Spooner	
CC	US-5,471,659	11-28-1995	Lidman	
CD	US-5,473,690	12-05-1995	Grimonprez et al.	
CE	US-5,483,444	01-09-1996	Heintzman et al.	
CF	US-5,484,998	01-16-1996	Bejnari et al.	
CG	US-5,491,326	02-13-1996	Marceau et al.	
CH	US-5,491,838	02-13-1996	Takahisa et al.	
CI	US-5,500,681	03-19-1996	Jones	
CJ	US-5,501,491	03-26-1996	Thompson	
CK	US-5,513,102	04-30-1996	Auremma	
CL	US-5,515,270	05-07-1996	Weinblatt	
CM	US-5,530,232	06-25-1996	Taylor	
CN	US-5,531,482	07-02-1996	Blank	
CO	US-5,535,118	07-09-1996	Chumbley	
CP	US-5,537,314	07-16-1996	Kanter	
CQ	US-5,559,313	09-24-1996	Claus et al.	
CR	US-5,564,073	10-08-1996	Takahisa	
CS	US-5,577,266	11-19-1996	Takahisa et al.	
CT	US-5,577,915	11-26-1996	Feldman	
CU	US-5,578,808	11-26-1996	Taylor	
CV	US-5,579,537	11-26-1996	Takahisa	
CW	US-5,594,493	01-14-1997	Nemirofsky	
CX	US-5,612,868	03-18-1997	Off et al.	
CY	US-5,621,812	04-15-1997	Deaton et al.	
CZ	US-5,642,485	06-24-1997	Deaton et al.	
DA	US-5,644,723	07-01-1997	Deaton et al.	
DB	US-5,649,114	07-15-1997	Deaton et al.	
DC	US-5,649,118	07-15-1997	Carlisle et al.	
DD	US-5,650,209	07-22-1997	Ramsburg et al.	

Examiner Signature	/Yehdega Retta/	Date Considered	12/11/2008
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<b>U.S. PATENT DOCUMENTS+</b>				
Examiner Initials*	Cite No.*	Document Number Number Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
DE	US-5,687,322		11-11-1997	Deaton et al.
DF	US-5,689,100		11-16-1997	Carithers et al.
DG	US-5,710,886		01-20-1998	Christensen et al.
DH	US-5,727,153		03-10-1998	Powell
DI	US-5,734,838		03-31-1998	Robinson et al.
DJ	US-5,742,845		04-21-1998	Wagner
DK	US-5,761,648		06-02-1998	Golden et al.
DL	US-5,767,896		06-16-1998	Nemirofsky
DM	US-5,764,762		05-19-1998	Kuo et al.
DN	US-5,765,141		06-09-1998	Spector
DO	US-5,767,896		06-16-1998	Nemirofsky
DP	US-5,774,870		06-30-1998	Storey
DQ	US-5,776,267		07-07-1998	Best et al.
DR	US-5,791,991		08-11-1998	Small
DS	US-5,794,210		08-11-1998	Goldhaber et al.
DT	US-5,797,126		08-16-1998	Heibling et al.
DU	US-5,802,519		09-01-1998	De Jong
DV	US 5,804,806		09-08-1998	Haddad et al.
DW	US-5,806,044		09-08-1998	Powell
DX	US-5,806,045		09-08-1998	Bjorge et al.
DY	US-5,815,656		09-29-1998	Kunyama
DZ	US-5,822,735		10-13-1998	De Lapa et al.
EA	US-5,822,737		10-13-1998	Ogram
EB	US-5,832,457		11-03-1998	O'Brien et al.
EC	US-5,844,216		12-01-1998	Kawan et al.
ED	US-5,845,259		12-01-1998	West et al.
EE	US-5,855,007		12-29-1998	Jovicic et al.
EF	US-5,857,175		01-05-1999	Day et al.
EG	US-5,859,419		01-12-1999	Wynn
EH	US-5,865,340		02-02-1999	Alvern
EI	US-5,865,470		02-02-1999	Thompson
EJ	US-5,866,498		02-09-1999	Martin
EK	US-Re 36,116		02-23-1999	McCarthy
EL	US-5,860,769		03-09-1999	Nemirofsky et al.
EM	US-5,884,271		03-16-1999	Piroda
EN	US-5,884,277		03-16-1999	Khosla
EO	US-5,884,278		03-16-1999	Powell
EP	US-5,887,271		03-23-1999	Powell
EQ	US-5,890,135		03-30-1999	Powell
ER	US 5,892,827		04-06-1999	Beach et al.
ES	US-5,896,838		04-27-1999	Wagner

Examiner Signature	/Yehdtega Retta/	Date Considered	12/11/2008
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RECORDED EXCEPT WHERE LINED THROUGH. /YR/ 60350339 v1

Substitute for form 1449A/PTO		<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application Number	10/660,328
(use as many sheets as necessary)		Filing Date	September 10, 2003
		First Named Inventor	Paul Spaeth
		Art Unit	3626
		Examiner Name	Not Yet Assigned
Sheet	4	of	Attorney Docket Number
		16222U-011310US	

<b>U.S. PATENT DOCUMENTS+</b>				
Examiner Initials*	Document Number Cits No.	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
ET	US-5,903,732	05-11-1999	Reed et al.	
EU	US-5,905,246	05-16-1999	Falkowski	
EV	US-5,905,908	05-16-1999	Wagner	
EW	US-5,907,350	05-25-1999	Nemirofsky	
EX	US-5,907,830	05-25-1999	Engel et al.	
EY	US-5,909,486	06-01-1999	Walker et al.	
EZ	US-5,912,453	06-15-1999	Gungl et al.	
FA	US-5,915,244	06-22-1999	Jack et al.	
FB	US-5,924,072	07-13-1999	Havens	
FC	US-5,926,795	07-20-1999	Williams	
FD	US-5,928,082	07-27-1999	Clapper, Jr.	
FE	US-5,931,947	08-03-1999	Bums et al.	
FF	US-5,943,651	08-24-1999	Oosawa	
FG	US-5,950,173	09-07-1999	Perkowski	
FH	US-5,953,705	09-14-1999	Oneda	
FI	US-5,956,695	09-21-1999	Carrithers et al.	
FJ	US-5,953,047	09-14-1999	Nemirofsky	
FK	US-5,956,694	09-21-1999	Powell	
FL	US-5,958,174	09-28-1999	Ramsberg et al.	
FM	US-5,960,062	09-28-1999	Haenel	
FN	US-5,963,917	10-05-1999	10-05-1999	
FO	US-5,969,318	10-19-1999	Mackenthun	
FP	US-5,970,469	10-19-1999	Scroggile et al.	
FQ	US-5,974,399	10-26-1999	Giuliani et al.	
FR	US-5,974,549	10-26-1999	Golan	
FS	US-5,978,013	11-02-1999	Jones et al.	
FT	US-5,987,795	11-23-1999	Wilson	
FU	US-5,997,042	12-07-1999	Blank	
FV	US-6,000,608	12-14-1999	Dorf	
FW	US 6,002,771	12-14-1999	Nielsen	
FX	US-6,003,113	12-14-1999	Hoshino	
FY	US-6,003,134	12-14-1999	Kuo et al.	
FZ	US 6,009,411	12-28-1999	Kepecs	
GA	US-6,012,635	01-11-2000	Shimada et al.	
GB	US-6,014,634	01-11-2000	Scroggile et al.	
GC	US-6,024,286	02-15-2000	Bradley et al.	
GD	US-6,035,280	03-07-2000	Christensen	
GE	US-6,038,551	03-14-2000	Barlow et al.	
GF	US-6,041,309	03-21-2000	Laor	
GG	US-6,047,325	04-04-2000	Jahn et al.	
GH	US-6,049,778	04-11-2000	Walker et al.	

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60350339 v1

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Sheet	5	of	
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GI	US-6,052,468	04-18-2000	Hillhouse	
GJ	US-6,052,690	04-18-2000	de Jong	
GK	US-6,052,785	04-18-2000	Lin et al.	
GL	US-6,055,509	04-25-2000	Powell	
GM	US-6,061,660	05-09-2000	Eggleston et al.	
GN	US-6,067,526	05-23-2000	Powell	
GO	US-6,070,147	05-30-2000	Harms et al.	
GP	US-6,073,238	06-06-2000	Drupsteen	
GQ	US-6,076,088	06-13-2000	DeLapa et al.	
GR	US-6,076,069	06-13-2000	Laor	
GS	US-6,089,611	07-18-2000	Blank	
GT	US-6,094,656	07-25-2000	De Jong	
GU	US-6,101,422	08-08-2000	Furlong	
GV	US-6,101,477	08-08-2000	Hohle et al.	
GW	US-6,105,002	08-15-2000	Powell	
GX	US-6,105,865	08-22-2000	Hardesty	
GY	US-6,105,873	08-22-2000	Jeger	
GZ	US-6,112,987	09-05-2000	Lambert et al.	
HA	US-6,112,988	09-05-2000	Powell	
HB	US-6,119,933	09-19-2000	Wong et al.	
HC	US-6,119,945	09-19-2000	Muller et al.	
HD	US-6,122,631	09-19-2000	Berbec et al.	
HE	US-6,129,274	10-10-2000	Suzuki	
HF	US-6,144,948	11-07-2000	Walker et al.	
HG	US-6,151,586	11-21-2000	Brown	
HH	US-6,151,587	11-21-2000	Matthias	
HI	US-6,154,751	11-28-2000	Ault et al.	
HJ	US-6,161,870	12-19-2000	Blank	
HK	US-6,164,549	12-26-2000	Richards	
HL	US-6,170,061 B1	01-02-2001	Beser	
HM	US-6,173,269 B1	01-09-2001	Soloki et al.	
HN	US-6,173,891 B1	01-16-2001	Powell	
HO	US-6,179,205 B1	01-30-2001	Sloan	
HP	US-6,179,710 B1	01-30-2001	Sawyer et al.	
HQ	US-6,183,017 B1	02-06-2001	Najor et al.	
HR	US-6,185,541 B1	02-06-2001	Scroggle et al.	
HS	US-6,189,100 B1	02-13-2002	Barr et al.	
HT	US-6,189,878 B1	02-20-2001	Dorf	
HU	US-6,195,666 B1	02-27-2001	Schneck et al.	
HV	US-6,210,276 B1	04-03-2001	Mullins	
HW	US-6,216,014 B1	04-10-2001	Proust et al.	

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Art Unit		3626	
Examiner Name		Not Yet Assigned	
		Attorney Docket Number	
		16222U-011310US	

<b>U.S. PATENT DOCUMENTS*</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>3</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	HX	US-6,216,204 B1	04-10-2001	Thrieth	
	HY	US-6,220,510 B1	04-24-2001	Everett et al.	
	HZ	US-6,222,914 B1	04-24-2001	McMullin	
	IA	US-6,230,143 B1	05-08-2001	Simons et al.	
	IB	US-6,237,145 B1	05-22-2001	Narasimhan et al.	
	IC	US 6,241,267 B1	06-05-2001	Best et al.	
	ID	US 6,243,667 B1	06-05-2001	Powell	
	IE	US 6,243,688 B1	06-05-2001	Kalina	
	IF	US 6,244,956 B1	06-12-2001	Acres	
	IG	US 6,266,647 B1	07-24-2001	Fernandez	
	IH	US 6,267,263 B1	07-31-2001	Emoff et al.	
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	IJ	US 6,279,112 B1	08-21-2001	O'Toole, Jr. et al.	
	IK	US 6,282,516 B1	08-28-2001	Giuliani	
	IL	US 6,292,785 B1	09-18-2001	McEvoy et al.	
	IM	US 6,292,786 B1	09-18-2001	Deaton et al.	
	IN	US 6,296,191 B1	10-02-2001	Hamann et al.	
	IO	US 6,299,530 B1	10-09-2001	Hansted et al.	
	IP	US 6,321,208 B1	11-20-2001	Barnett et al.	
	IQ	US 2002/002468 A1	01-03-2002	Spagna et al.	
	IR	US 6,365,723 B1	05-07-2002	Richards	
	IS	US 6,390,374 B1	05-21-2002	Carper et al.	
	IT	US 2002/0076051 A1	06-20-2002	Nil	
	IU	US 6,480,935 B1	11-12-2002	Carper et al.	
	IV	US 6,549,773 B1	04-15-2003	Linden et al.	
	IV	US 6,549,912 B1	04-15-2003	Chen	
	IX	US 6,612,490 B1	09-02-2003	Herrendorfer et al.	
	IY	US 6,681,995 B1	01-27-2004	Sukeda et al.	
	IZ	US 6,689,345 B2	02-10-2004	Jager Lezer	

<b>FOREIGN PATENT DOCUMENTS</b>						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)		
	JA	WO	90/16126	A1	12-27-1990	
	JB	WO	98/25724	A1	08-22-1996	
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	JD	WO	96/42109	A1	12-27-1996	
	JE	WO	97/05582	A1	02-13-1997	
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Substitute for Form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	10/660,328
				Filing Date	September 10, 2003
				First Named Inventor	Paul Spaeth
				Art Unit	3626
				Examiner Name	Not Yet Assigned
Sheet	7	of		Attorney Docket Number	16222U-011310US

<b>FOREIGN PATENT DOCUMENTS</b>							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T*
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>			
(use as many sheets as necessary)			
Sheet	8	of	
		<b>Complete if Known</b>	
Application Number		10/660,328	
Filing Date		September 10, 2003	
First Named Inventor		Paul Spaeth	
Art Unit		3626	
Examiner Name		Not Yet Assigned	
		Attorney Docket Number	
		16222U-011310US	

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>4</sup>
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>			
(use as many sheets as necessary)			
Sheet	9	of	
		<b>Complete if Known</b>	
		Application Number	10/660,328
		Filing Date	September 10, 2003
		First Named Inventor	Paul Spaeth
		Art Unit	3626
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	16222U-011310US

<b>FOREIGN PATENT DOCUMENTS</b>						
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	MI	EP	0984404	A2	03-08-2000	
	MJ	EP	1085395	A2	03-21-2001	
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	MR	BE	1002756	A6	05-28-1991	Abstract attached
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	NO	KR	0058742	A	07-06-2001	Abstract attached
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<i>(use as many sheets as necessary)</i>		<i>Filing Date</i>	September 10, 2003
		<i>First Named Inventor</i>	Paul Spaeth
		<i>Art Unit</i>	3626
		<i>Examiner Name</i>	Not Yet Assigned
Sheet	10	of	Attorney Docket Number
		16222U-011310US	

<b>NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
	NQ	"Internet based secure transactions using encrypting applets and cgi-scripts independent of browser or server capabilities"; 1998, <u>IBM Research Disclosure</u> , No. 410116, pp. 800-801.		

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<sup>2</sup>Applicant's unique citation designation number (optional). <sup>3</sup>Applicant is to place a check mark here if English language Translation is attached.

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